

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JESSICA GUZMAN, *on behalf of herself,*
FLSA Collective Plaintiffs, and the Class,

Plaintiffs,

-against-

26 MOTORS CORP. d/b/a 26 MOTORS
26 MOTORS QUEENS INC. d/b/a 26
MOTORS 26 MOTORS JAMAICA INC.
d/b/a 26 MOTORS 26 MOTORS LONG
ISLAND LLC d/b/a 26 MOTORS 26
MOTORS OF FRANKLIN SQUARE LLC
d/b/a 26 MOTORS MOSHE POURAD,
YOSEF AYZENCOT, and AHARON
BENHAMO,

Defendants.

MEMO ENDORSED

1:23-cv-00283

**NOTICE OF MOTION TO WITHDRAW
AS COUNSEL FOR ALL DEFENDANTS**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Clifford Tucker, Esq., an associate at Sacco & Fillas LLP, in Support of the Motion to Withdraw from Representing all Defendants, Sacco & Fillas, LLP, will move this Court before the Honorable Judge Katherine Polk Failla at the Thurgood Marshall United States Courthouse at 40 Foley Square, New York, New York 10007, courtroom 618 on a date and time to be determined by the Court, for an Order, pursuant to NY R USDCTS&ED Civ Rule 1.4 and NY ST RPC Rule 1.16, granting leave to Sacco & Fillas LLP, Clifford Tucker, Esq., and James Wolff, Esq. ("Defendants' Counsel") to withdraw as counsel for all Defendants and for such other and further relief as this Court deems proper.

Dated: Astoria, New York
April 3, 2023

Signed,

By: /s/ Clifford Tucker
Clifford Tucker, Esq.
Sacco & Fillas LLP
31-19 Newtown Ave., 7th Floor
Astoria, New York 11102
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The Court is in receipt of the above motion to withdraw from counsel for Defendants ("Movants") and its accompanying declaration. The Court is also in receipt of the parties' stipulation extending Defendants' answer deadline to April 17, 2023. (Dkt. #11).

The Court does not appreciate that Movants filed this request on the answer deadline to which they previously stipulated. (See Dkt. #7). Their delay in filing the instant motion delays the entire case. But because this case is in early stages and substitute counsel has already appeared and indicated its intent to swiftly respond to the Complaint, the Court finds that the delay caused by Movants' tardiness is not so egregious as to justify denial of the instant motion. Accordingly, the motion is GRANTED. The Clerk of Court is directed to terminate Clifford Ryan Tucker and Sacco & Fillas LLP from the docket.

The Court will so-order the parties' stipulation extending the answer deadline to **April 17, 2023**, under separate cover. The parties are advised that this deadline will not be extended.

The Clerk of Court is directed to terminate the motion at docket entry 10.

Dated: April 4, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE